

PUBLIC

AI Index: AMR 34/008/2009

06 May 2009

UA 121/09 Fear for safety/Death threats

GUATEMALA Staff members of the Association for the Study and Promotion of Security under Democracy (Asociación para el Estudio y Promoción de la Seguridad en Democracia, SEDEM) and the Human Rights Defenders Protection Unit (Unidad de Protección de Defensoras y Defensores de Derechos Humanos, UDEFEGUA)

Nine members of staff at two prominent Guatemalan human rights organizations based in Guatemala city have received over 40 SMS text messages containing death threats. One of them has also been followed by armed unknown men. The SMS text messages make reference to their work seeking justice for the crimes committed during the 1960-1996 internal armed conflict. The lives of these activists could be at risk.

Between 30 April and 5 May over 40 SMS text messages were received by nine members of staff at SEDEM and UDEFEGUA. In some cases the same message was sent to several staff members. For example, on 2 May two of the staff members received the following message, although badly spelled: "You've got 1 hour, this is the last warning. Stop messing with us, military declassified files. We'll kill your kids first, then you" (Tienen 1 hora esta es la última advertencia. Déjense de meter con nosotros, archivos desclasificados del ejército. Le quebraremos el culo a sus hijos después será a usted.) Both organizations have asked Amnesty International to withhold the names of the victims.

On 4 May, two unidentified men in a dark green car with tinted windows parked outside the house of one of the staff members. The staff member called the police, who interviewed the suspects on the spot. The police later informed the victim that the two men were armed and that they had a valid licence to carry the weapons. The police officers also said that they let the two men go because there was no evidence to think that they were posing a threat. On the same morning two other staff members received an SMS text message, which read: "I am watching you...It's good that you didn't go to work, I have my sight set on you. Son of a bitch... you're scared." ("Te estoy vigilando... Qué bien que no fuiste al trabajo, te tengo bien en la mira. Puta de mierda... Tenés miedo.")

The spate of death threats and intimidation seems to be linked to the campaign that SEDEM and other Guatemalan human rights organizations have carried out in order to secure the release of all military files containing information about gross human rights violations committed during the internal armed conflict. After an almost 3-year-long judicial battle, on 9 February 2009 the Constitutional Court ordered the Guatemalan authorities to hand over some of these files. The government partly complied with the order on 6 March but said that the rest of the files were missing. The Public Prosecutor's Office has been charged with an investigation into the loss of the remaining files.

BACKGROUND INFORMATION

SEDEM has been working to promote police and military reform since 2000 and has campaigned for the declassification of information relating to human rights violations committed during the internal armed conflict. It has also trained human rights defenders on risk assessment and self-protection measures.

UDEFEGUA works with and for human rights defenders in Guatemala. Since 2000 it has documented thousands of attacks, threats, acts of intimidation and even killings against Guatemalan activists in

connection with their legitimate work. It has also supported them with the legal procedures and follow-up with the authorities.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern for the safety of all members of staff working for the Guatemalan human rights organizations SEDEM and UDEFEGUA;
- urging the authorities to provide effective protection for them, in strict accordance with their wishes;
- calling on the authorities to order a swift, full and impartial investigation into the incidents, to make the results public and to bring those responsible to justice;
- reminding the authorities of the right of human rights defenders to carry out their activities without any restrictions or fear of reprisals, as set out in the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

APPEALS TO:

President of the Republic

Lic. Álvaro Colom

Presidente de la República

Casa Presidencial, 6ª Avenida, 4-18, Zona 1.

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Salutation: Dear President/Estimado Sr. Presidente

Minister of the Interior

Sr. Salvador Gándara

Ministro de Gobernación

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Ciudad de Guatemala, GUATEMALA

Fax: +502 2413 8658

Salutation: Dear Minister/Estimado Sr. Ministro

Attorney General and Head of the Public Prosecutor's Office

Lic. José Amílcar Velásquez Zárata

Fiscal General de la República y Jefe del Ministerio Público

8ª Avenida 10-67, Zona 1, Antiguo Edificio del Banco de los Trabajadores,

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Fax: +502 2411 9124

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Salutation: Dear Attorney General/Estimado Sr. Fiscal General

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Ciudad de Guatemala, GUATEMALA

and to diplomatic representatives of Guatemala accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 June.